



LABRADOR SCHOOL BOARD

GOVERNANCE POLICY

Accepted as Policy -

June 20, 2005

Governance Policy Statements

The policies contained in this document are organized under four broad headings: (1) Ends; (2) CEO (Director) Limitations; (3) Board-Staff Relations; and (4) Board Processes.

1.0 ENDS

These policies deal with the outcomes or results that the Labrador School Board wants to achieve.

1.1 Mission

1.1.1. The mission of the Labrador School Board is to increase graduation rates by increasing student achievement by 5% in underachieving areas in English Language Arts, Mathematics and Science while maintaining existing areas of acceptable achievement.

1.2 Academic Achievement

1.2.1. By 2006, the Labrador School Board shall not:

- (1) promote, support or cause available resources to be used for school/district events that would contravene Board policy.
- (2) grant permission for student absences unless there is evidence that academic achievement is not jeopardized and the Essential Graduation Learnings can be achieved.

2.0 BOARD PROCESSES

These policies establish the role of the Labrador School Board and set the rules and limitations of individual trustees and the board as a whole.

2.1 Standards of Behaviour

2.1.1. No Labrador School Board trustee shall ignore his/her responsibility for providing leadership in educational governance by refusing to adhere to the highest standards of behaviour as stated in the following values:

Accountability	Each trustee ensures that the outcomes of the Labrador School Board's Strategic Plan are provided to the public.
Confidentiality	Each trustee refuses to discuss confidential information outside of a board meeting.
Honesty	Trustees individually ensure that what is said is meant and what is meant is said.
Integrity	Each trustee speaks honestly and openly on issues in board meetings and thereafter supports the decisions of the board.
Leadership	Each trustee ensures that all actions set a positive example for the organization.
Objectivity	Each trustee remains open-minded on all issues and acknowledges biases and prejudices.
Openness	Each trustee ensures all views and opinions on various issues are acknowledged and valued.
Selflessness	Each trustee puts the greater good of the organization ahead of all personal interests.

2.2 Code of Ethics

2.2.1. No trustee shall violate any part of the Code of Ethics.

2.2.2. Therefore, each trustee shall, at all times:

- (1) view service on the school board as an opportunity to serve the entire school district;
- (2) be cognizant of the impact of the decisions of the board on its stakeholders;
- (3) make no disparaging remarks in or out of board meetings about other trustees or their opinions;
- (4) act in accordance with the fact that s/he has no legal authority outside of board meetings;
- (5) recognize that his/her responsibility is not to manage but to govern;
- (6) refer all operational inquiries to the Director of Education where it is not possible

- to refer the constituent to take another appropriate action;
- (7) refer all governance inquiries or concerns to the Chair of the board;
 - (8) graciously support all decisions of the board;
 - (9) not criticize staff but refer concerns to the Director of Education;
 - (10) only make decisions after consideration of all available pertinent facts and research, relevant legislation, and the board constitution and by-laws;
 - (11) refuse to make promises as to how s/he will vote on a matter that should be properly discussed and decided at a board meeting;
 - (12) not discuss the confidential business of the board outside of board meetings;
 - (13) encourage cooperation and participation of relevant stakeholders in developing policies;
 - (14) ensure that the organization uses its financial resources to achieve maximum benefits consistent with its vision and mission;
 - (15) declare him/herself to be in conflict of interests on any decision that may result in a personal gain whether to him/herself, immediate family member or any corporation in which he/she has a controlling interest; and
 - (16) recognize that the board is an agent of the provincial government with a specific legislated mandate.

2.3 Meetings

2.3.1. The Labrador School Board shall schedule no fewer than four public meetings per year, one of which shall be the annual general meeting.

2.3.2. The Labrador School Board shall not conduct *open* meetings where controversial and highly sensitive matters related to either property purchases, human resources or collective bargaining are discussed. These issues shall be discussed and/or settled in a *closed* meeting.

2.3.3. The Labrador School Board shall not schedule *special* meetings for items of a routine nature unless the items require a timely decision and cannot be delayed until the next regularly scheduled meeting.

2.3.4. *Closed* meetings shall not be called to discuss or settle items of a routine nature.

2.3.5. No regular meeting of the Labrador School Board shall be held without a notice of 14 calendar days to the general public.

2.3.6. Submissions of potential agenda items from the general public shall be considered only if received by the Chairperson or Director no less than 10 calendar days prior to the regular meeting.

2.3.7. The agenda for a regular meeting of the Labrador School Board shall be set no less than

seven calendar days prior to the meeting.

2.3.8. Addition of items to the agenda of a meeting, other than a special meeting of the board, shall be limited to board trustees and the Director of Education and shall be prioritized along with the other items on the distributed agenda.

2.4 Strategic Planning

2.4.1. The Labrador School Board shall not:

- (1) fail to engage in a strategic planning process that includes the following:
 - the confirmation of the vision
 - the review/renewal of the mission, goals, objectives and related measures and indicators.
- (2) allow interruptions in the approved strategic planning process.

2.4.2. The Labrador School Board shall not fail to work towards the achievement of the annual objectives identified in its Strategic Plan.

2.4.3. The Labrador School Board shall not be prohibited from reporting to the public progress toward achieving the goals outlined in the Strategic Plan.

2.5 Structure of the Board

2.5.1. The Labrador School Board shall have no fewer than the following officers in its structure

- one chairperson
- one vice-chairperson
- one secretary
- one treasurer

2.5.1.1. The term of office for these officers shall not exceed two years unless re-elected.

2.5.2. The Labrador School Board shall have an executive committee with six members:

- the chairperson
- the vice-chairperson
- the secretary
- the treasurer and
- two members-at-large

2.5.2.1. The term of office for the executive committee officers shall not exceed two years unless re-elected.

2.5.2.2. No vacancy shall remain on the executive committee and any member filling a vacancy, based on a vote in a special meeting of the board, shall remain in the office until the next annual general meeting in which an election of officers is to occur.

2.5.2.3. No executive member shall retain office after missing four meetings in an aggregate of seven executive meetings.

2.5.2.4. No decision shall be rendered unless it is based on the outcome of the vote of the majority of the sitting members of the executive committee. Where there is fewer than two thirds of the sitting members voting either in favour or not-in-favour, the issue is brought to the full board table for discussion and decision.

2.5.3 The Labrador School Board shall not fail to establish Regional Committees of the Board, together with Terms of Reference for them as follows:

- Coastal
- Upper Lake Melville
- Western.

2.5.4. The Labrador School Board shall only structure committees, other than the executive committee, for specific mandates as per motions of the board.

2.5.4.1. The committees of the board, other than the executive committee, are not mandated to make decisions on behalf of the board. These committees are mandated to bring written options for consideration to the board table for decisions unless a motion of the board directs otherwise.

2.6 Rules of Order

For All Meetings

2.6.1. No decisions requiring a motion shall be passed without following proper parliamentary procedures as stipulated in the by-laws of the board.

For Regular and Special Meetings

2.6.2. No meeting of the Labrador School Board requiring the passing of motions shall be conducted without a quorum of the sitting members.

For Executive Meetings

2.6.3. No meetings of the Labrador School Board executive requiring the passing of motions shall be conducted without at least two-thirds of the executive members present.

2.7 By-laws

2.7.1. The policies of the Labrador School Board shall not violate its by-laws.

2.8 Decision Making

2.8.1. There shall be no decision rendered which does not provide evidence to support legislation, provincial policies, and the vision, mission, values and resource allocations of the board.

2.9 Roles and Responsibilities

2.9.1. The Board

The governing body of the Labrador School Board shall not fail to provide leadership and direction to the organization through its constitution, by-laws and policies by:

- (1) ensuring that each trustee's performance is evaluated within the context of the Board's mandate, policies, standards of behaviour and code of ethics;
- (2) having all decisions made by no less than a majority vote;
- (3) acting as one voice;
- (4) exercising powers and duties vested in it by legislation and operating within statutory limitations and other relevant authorities;
- (5) ensuring that decisions rendered support the vision, mission, values and are within the resource capabilities of the organization;
- (6) advising the Minister of relevant emerging, potentially sensitive, and/or legal issues;
- (7) ensuring potentially sensitive and/or legal issues are addressed in accordance with relevant protocols;
- (8) exercising fiduciary responsibilities;
- (9) ensuring that the organization's staff operates within an ethical and legal manner;
- (10) setting strategic goals of the organization through the approved strategic planning process;
- (11) monitoring and reporting organizational performance;
- (12) developing policy processes and approving and monitoring policies;
- (13) negotiating and signing the contract with the Director of Education and submitting it for Ministerial approval;
- (14) ensuring that the Director of Education's performance is evaluated through a defined process which determines how well his/her performance reflects the organization's values, vision, mission, mandate and policies, and how well his/her performance contributes to the achievement of the Board's strategic goals; and
- (15) approving the contracts of the Assistant Directors and submitting them for Ministerial approval.

2.9.2. The Chairperson

The chairperson shall not act on behalf of the board unless it is in accordance with its constitution, by-laws and policies. Accordingly, the chairperson shall not:

- (1) permit any practice which is unjust, unfair or discriminatory.
- (2) permit any practice which prohibits trustees from understanding their roles and responsibilities as defined in legislation, constitution, by-laws, and policies.
- (3) fail to ensure that a trustee from the Labrador School Board acts as a director of the provincial school boards association.
- (4) fail to ensure an effective liaison with all stakeholders.
- (5) fail to ensure that all meetings are held in accordance with the approved rules of order.
- (6) fail to ensure that the notices and agenda of board meetings are distributed to all board members.
- (7) fail to advise the Minister of Education of any vacancy for board members that exist or where a board member no longer resides in the zone in which him/herself was elected, or of the name of any member who has absented him/herself from three consecutive board meetings without good cause.
- (8) fail to advise the absented member that she/he is considered to be no longer a member of the board and the Minister of Education has been written to advise that the board now has a vacancy to be filled.
- (9) fail to ensure that board members are given the opportunity to participate in continuing education opportunities in accordance with board policies, available resources and legal responsibilities.
- (10) fail to ensure that all Board trustees are evaluated as per Board policy.
- (11) fail to ensure that the Director of Education is evaluated as per Board policy.

2.9.3. Role of Vice-Chairperson

The vice-chairperson shall not fail to assume the role of chairperson in that person's absence, assist the chairperson in the execution of the chairperson's duties, and/or to accept special assignments at the request of the chairperson.

2.9.4. Role of the Secretary

The Secretary of the Labrador School Board shall not fail to ensure that records of all meetings are kept and minutes are distributed to each trustee.

2.9.5. Role of the Treasurer

The treasurer of the Labrador School Board shall not fail to ensure that all fiscal practices are in

accordance with the fiscal policy(s) of the board.

2.9.6. Role of Trustees

A board trustee shall not compromise the board's ability to deliver its overall mandate by failing to consider the broader context of the trustee's role to represent all the stakeholders and to make decisions in the best interest of the total population served and to make the necessary separation between a single interest issue and a broader interest issue. The trustee shall not fail to:

- (1) familiarize him/herself with applicable legislation;
- (2) know and support the vision, mission, values and goals of the strategic plan;
- (3) come to meetings prepared, ask informed questions, make a positive contribution to discussions, make decisions based on evidence and keep confidential business within the board context;
- (4) work harmoniously with other Board members without either dominating the board or neglecting an appropriate share of the work;
- (5) contribute personal expertise to the board as needed;
- (6) support decisions and policies of the board at all times;
- (7) fulfill fiduciary responsibilities and not represent the interests of a narrow constituency to the detriment of decision-making;
- (8) disclose potential conflict of interest and refrain from participating in discussions and decisions where conflict of interest may exist;
- (9) demonstrate that the role of the trustee is one of governance and not of operations;
- (10) participate in continuing professional development about the role of trustees; and
- (11) engage in evaluation of him/herself, the board as a whole and the director of education.

2.10 Communication

2.10.1. The communication plan of the Labrador School Board shall include a minimum of the following information; who communicates, what to whom, when, how and how often.

2.10.2. After 2006, the Labrador School Board shall not violate its approved communication plan.

2.10.3. No trustee other than the chairperson shall communicate publicly on governance issues.

2.10.3.1. No trustee shall communicate publicly on operational issues.

2.10.3.2. No person other than the chairperson or the Director of Education shall be a spokesperson for the board.

2.10.4. All communication with staff shall be only through the Director of Education.

2.10.5. Trustees shall report governance issues to the Chair of the Board only and operational issues to the Director of Education only.

2.11 Policy Development

2.11.1. No regular meeting of the Labrador School Board shall exclude opportunity for persons to submit issues, either verbally or in writing, for consideration for board policy.

2.11.2. For any regular meeting of the board, no potential policy topic introduced after the deadline for submission of agenda items by the general public shall be considered for discussion, but will be tabled for the next regular meeting.

2.11.3. No annual general meeting agenda of the Labrador School Board shall exclude a formal discussion of the need for new or revision of current policy.

2.11.4. No operational issues shall be contained in governance policy.

2.11.5. The Labrador School Board may not cause or allow any policy statement to be excluded from an annual review.

2.12 Fiscal policy

2.12.1. The Labrador School Board shall not fail to: adhere to statutory financial regulations; departmental reporting requirements; and Generally Accepted Accounting Principles as established by CICA;

2.12.2. The Labrador School Board shall not fail to approve annually: an operating budget; capital renewal applications; its auditing firm; and audited financial statements.

2.12.3. The Labrador School Board shall not incur expenditures in areas which are not funded.

2.12.4. The Labrador School Board shall not approve expenditures which deviate from the strategic priorities.

2.12.5. The Labrador School Board shall not expend restricted funds for any purpose other than that stipulated by the contribution agreement.

2.12.6. The Labrador School Board shall not fail to settle its payroll and debts in other than a timely manner.

2.12.7. The Labrador School Board shall not fail to appoint signing officers as follows; the chair, vice-chairperson, secretary, treasurer, Director of Education, Assistant Director of Education

(Finance), and Manager of Finance.

2.12.7.1. Signing officers for amounts over \$50,000.00, excluding utilities, shall not include the Manager of Finance and shall not fail to include one trustee or the Director of Education as one of the two signing officers.

2.12.7.2. No loan shall be entered into without the signatures of two of the executive members who are approved as signing officers.

2.12.8. The Labrador School Board shall not fail to monitor and report on its financial position at least once every three months.

2.13 Succession Planning

2.13.1. For all short-term emergency replacement requirements of the Director of Education, the Labrador School Board shall not fail to identify either the Assistant Director of Education (Programs) or Assistant Director of (Human Resources), whoever is most senior at the Assistant Director level, as the acting Director of Education.

2.13.1.1. For all short-term non-emergency and permanent replacement requirements of the Director of Education, the Labrador School Board shall not fail to either internally and/or externally advertise for a suitable replacement.

2.13.2. The Labrador School Board shall not fail to establish an open competition by advertising the vacancy in designated media and the Labrador School Board's Website for a two week period.

2.13.3. For the short-term non-emergency and permanent replacement of the Director of Education, the Labrador School Board shall not fail to establish a hiring committee consisting of the chair and two other trustees, at least one of whom is an executive members

2.13.4. For board trustee vacancies that occur during the mandate of the present board, the Board shall not fail to advise the Minister of Education.

2.13.5. The Labrador School Board shall not proceed with the dismissal of the Director of Education without following statutory requirements and the terms of the current signed contract.

2.14 Legislation

2.14.1. The Labrador School Board shall not make any decision which contravenes any current relevant law.

2.15 School Councils

2.15.1. The Labrador School Board shall not fail to ensure:

- (1) that school councils are established and functional in accordance with legislation; and
- (2) school councils contribute to the betterment of education.

2.16 Negotiations

2.16.1. The Labrador School Board shall not fail to meet its obligations to provide support and input into the collective bargaining process by:

- (1) defining areas of current collective agreements for which it desires protection, deletions, modifications and/or additions;
- (2) determining its need to suggest names of possible appointment to a bargaining team in line with the relevant legislation and within its available resources;
- (3) ensuring input relevant to the collective bargaining process is communicated to the board; and
- (4) ensuring that trustees are aware of conduct which could be detrimental to the negotiation process; and
- (5) ratifying the collective agreement.

2.17 Parents and Guardians

2.17.1. The Labrador School Board shall not fail to ensure that parents are treated in a fair, dignified and non-discriminatory manner.

2.18 School Restructuring/Reorganization

2.18.1. The Labrador School Board shall not fail to:

- (1) analyze its current organization of schools for effectiveness, efficiency and contribution to the education of students; and
- (2) change any physical facilities without following The Schools Act 1997 and relevant guidelines from the Department of Education.

2.19 Programming

2.19.1. The Labrador School Board shall not fail to deliver:

- (1) all programs in accordance with legislative requirements and Department of Education standards and resource allocations; and
- (2) optional programs within available resource allocations, provided that such programs do not negatively impact on Department of Education required programs, nor the achievement of the goals of the Board's Strategic Plan.

3.0 DIRECTOR OF EDUCATION/CEO LIMITATIONS

These policies outline limitations on the behaviours, activities and actions of the Chief Executive Officer/Director of Education which are considered unacceptable means toward the ends policies. They include the following:

3.1 Role of the CEO/Director of Education

3.1.1. The CEO/Director of Education shall not fail to:

- (1) demonstrate competence as a strategist, problem solver and visionary;
- (2) establish a relationship of openness, trust and respect with the board;
- (3) establish a liaison with the Deputy Minister and senior officials of the Department of Education, other Directors of Education and relevant associations;
- (4) guide the organization towards the strategic goals as established by the board;
- (5) manage the day-to-day operations and activities of board by monitoring and evaluating the organization's performance and initiating corrective action as necessary;
- (6) participate in the strategic planning process;
- (7) prepare operational plans and progress performance reports for review and approval by the governing body;
- (8) prepare capital and operational budgets for review and approval;
- (9) submit financial reports as required by the board and the Department of Education;
- (10) ensure that a student academic achievement assessment program is developed, maintained and monitored in accordance with Department of Education standards;
- (11) evaluate the performance of senior administrators;
- (12) ensure the performance of all employees is evaluated;
- (13) ensure the Board has all relevant information necessary for the conduct of its business;
- (14) cause or allow exclusion of any operational policy statement from an annual review;
- (15) develop and implement a succession plan for management personnel;
- (16) exercise powers and duties vested in him/her by legislation or to operate within statutory limitations and other relevant authorities; and
- (17) be in compliance with board policies not excluding the above.

4.0 BOARD STAFF RELATIONS

These policies describe how the Labrador School Board delegates authority to the Director of Education, and through the Director of Education, to the staff.

4.1 Employee Recognition

4.1.1. The board shall not fail to recognize employees' years of service and retirement from the board.

4.2 Staff Treatment

4.2.1. With respect to treatment of employees, the board shall not cause or allow conditions which are inhumane, unfair or undignified. Accordingly, it shall not:

- (1) discriminate among employees on other than clearly job-related, individual performance or qualifications;
- (2) fail to take reasonable steps to protect staff from unsafe or unhealthy conditions;
- (3) withhold from staff a due-process grievance procedure, able to be used without bias; and
- (4) fail to acquaint staff with their rights under the policy.

4.3 Professional Development

4.3.1. The Director of Education shall not fail to ensure that employees are provided with opportunities to participate in continuing education in accordance with the board's strategic priorities, available resources and statutory responsibilities.

4.4 Professional Practices

4.4.1. The board shall not fail to ensure that all employees are effective practitioners.

Accordingly, employees:

- (1) shall not participate in any practice that is discriminating, outdated, unproven, unjust or ineffective; and
- (2) who are new to the district, school or assignment area shall not be denied any required job-specific knowledge available within the district's resource allocation and the on-site expertise.

4.5 Safe Schools

4.5.1. The Labrador School Board shall not fail to ensure that it promotes safe work and learning environments.

4.6 School Development

4.6.1. The Labrador School Board shall not fail to ensure that schools demonstrate the achievement of the annual objectives identified in their school development plan which also contribute to the objectives in the school board's strategic plan.